TEXAS STATE SOIL & WATER CONSERVATION BOARD

TEXAS BRUSH CONTROL PROGRAM

FOR THE

HOUSE COMMITTEE ON AGRICULTURE & LIVESTOCK

JULY 14, 2004

Background

In 1985, Senate Bill 1083, Acts of the 69th Legislature, Regular Session created the Texas Brush Control Program. The goal of this legislation, which was authored by Senator Bill Sims of San Angelo, is to enhance the State's water resources through selective control of brush species. This statute was codified in Chapter 203 of the Texas Agricultural Code. The Texas State Soil and Water Conservation Board (TSSWCB) is designated as the agency responsible for administering the program and is given authority to delegate responsibility for administering certain portions of the program to local soil and water conservation districts.

State Brush Control Plan

In 1986, in accordance with Section 203.051, Agriculture Code, the TSSWCB prepared and adopted a State Brush Control Plan. The plan includes a comprehensive strategy for managing brush in areas where brush is contributing to a substantial water conservation problem and designates areas of critical need in the state in which to implement the brush control program. It was last revised in January 2002.

Annual Reporting

Section 203.056, Agriculture Code, requires the TSSWCB to submit a report on the Activities of the Brush Control Program to the Governor, the Speaker of the House, and the Lieutenant Governor before January 31 of each year.

Cost-Share Funding

Section 203, Subchapter E created a cost share program for brush control, created the Brush Control Fund, limits the cost share rate to 70% of the total cost of a practice, and limits the cost share program to critical areas designated by the TSSWCB and to methods of brush control approved by the TSSWCB. It also establishes criteria for approving applications, setting priorities and contracting for cost sharing.

Brush Control Rules

Texas Agriculture Code Chapter 203 requires the TSSWCB to adopt rules to carry out the Brush Control Program. These rules are codified in the Texas Administrative Code, Title 31, Part XVII, Chapter 517.

Program Guidance

The TSSWCB adopted program guidance for implementation of the Brush Control Program in designated critical areas. Topics include applying for brush control program assistance, developing individual brush control plans, preparing brush control contracts, certifying completion of practices, and providing payment to landowners.

Senate Bill 1828

Several changes were made to the Brush Program as a result of the 78th Regular Session's Senate Bill 1828. These implemented changes include consultation with the Texas Department of Agriculture and the Texas Water Development Board, lowering the maximum cost share for private landowners to 70%, and establishing cost-share for public lands at 100% and 50% political sub-divisions. The board staff is in the process of tabulating surveys sent to SWCDs that will help determine critical water shortage and brush control needs. This will be used to rank all areas of the state where brush control can be used for water enhancement.

Future Brush Control Activities

The TSSWCB's goal is to administering the Texas Brush Control Program in the most efficient and cost effective way. The TSSWCB has recently reviewed the process and implementation of the Leon River Restoration Project, and is coordinating meetings through the Texas Farm Bureau, Texas Wildlife Association, Texas Parks and Wildlife, U.S. Fish and Wildlife, and other wildlife and natural resource agencies and organizations.

Water Conservation Task Force

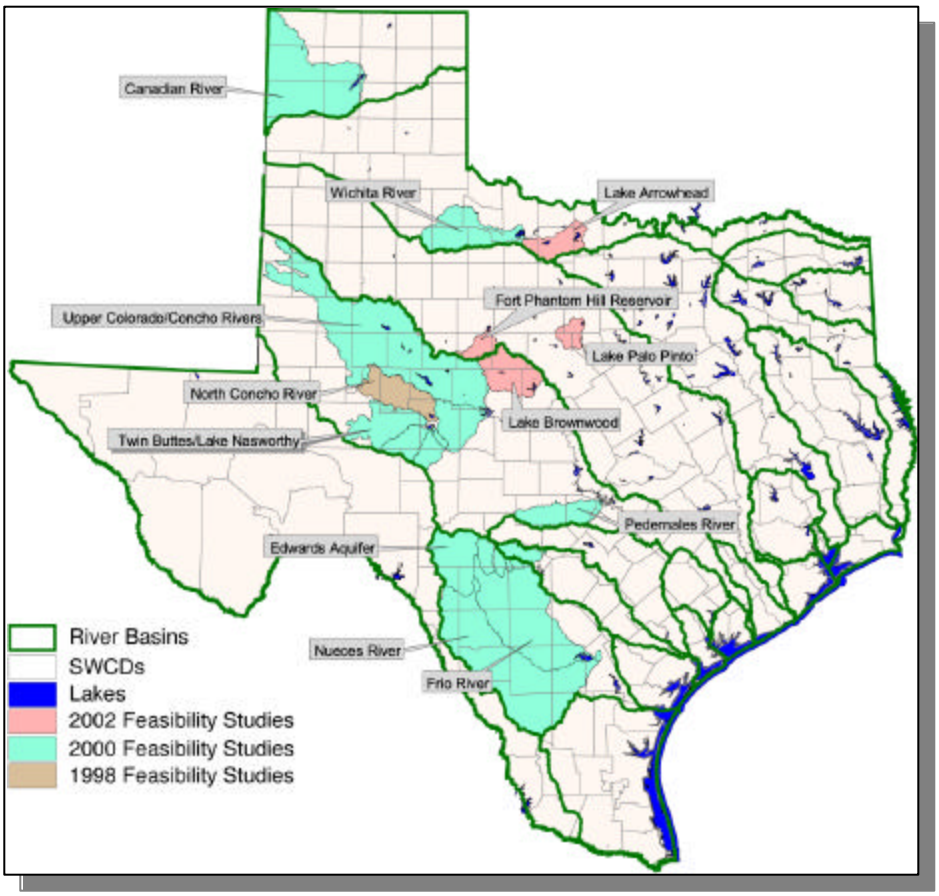
Senate Bill 1094 by Senator Robert Duncan established a Water Conservation Implementation Task Force to evaluate matters regarding water conservation in Texas. The Task Force established three subgroups—municipal, industrial, and agricultural—to work on specific conservation issues in their respective areas. The TSSWCB is a member of the Task Force and is also a member of the agriculture subgroup. The Task Force is meeting monthly until its work is completed.

The agricultural subgroup of the Task Force developed agricultural best management practices (BMPs) for water conservation. The BMPs were approved by the task force and a draft BMP manual received public comment. Brush management was one of the BMPs approved by the Task Force.

Each of the subgroups recommended State incentives for their respective areas. The purpose of incentives is to encourage the implementation of water conservation BMPs. The Task Force approved a number of incentives at the meeting on May 24, 2004. One incentive approved by the Task Force was continued or expanded funding of the State brush control program. A draft report by the Task Force will be released for public comment on August 2, 2004.

Feasibility Studies

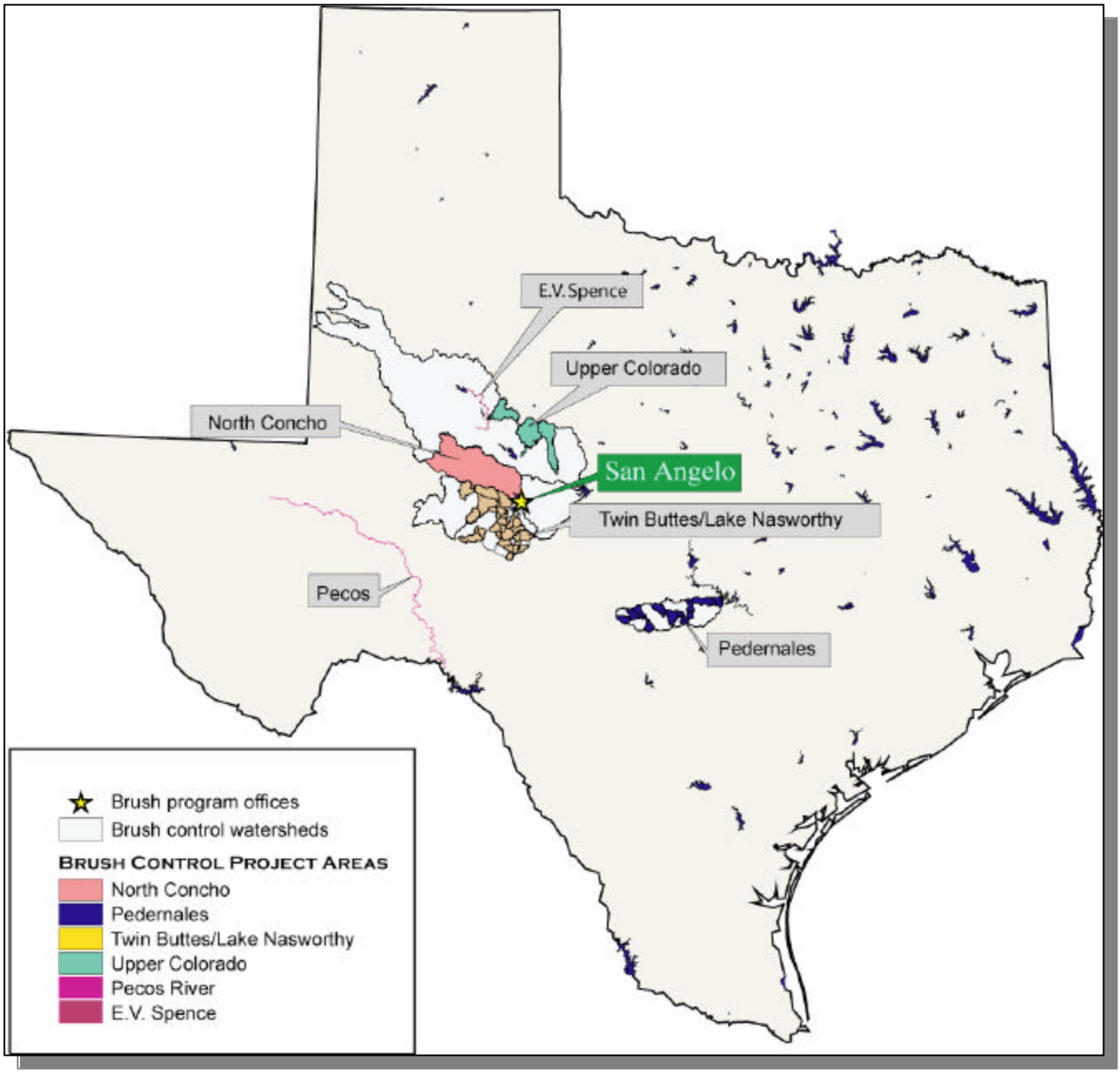
In 1998, a year long study was completed on the North Concho River watershed to determine potential water yields from a comprehensive brush control program on the river's 950,000-acre watershed. The study was funded with a grant from the Texas Water Development Board and conducted by the TSSWCB, Texas A&M Research and Extension Center, and the Upper Colorado River Authority. The report found that the North Concho River watershed has the potential for increased water yield through brush control.



In 1999, the legislature appropriated $1,000,000 to the TSSWCB to conduct eight brush control feasibility studies. The TSSWCB submitted the feasibility studies for the following basins to the 77th Legislature in January 2001: (1) Frio River Basin, (2) Nueces River Basin, (3) Pedernales River Basin, (4) Wichita River Basin, (5) Canadian River Basin, (6) Middle Concho River Basin, (7) Upper Colorado River Basin, (8) Edwards Aquifer. Texas A&M and USDA-Natural Resources Conservation Service Water Resources Assessment Team: (1) performed modeling to determine water yields, (2) used economic analysis to determine the feasibility of brush control projects in each watershed, and (3) produced a final report describing their results. Local river authorities and water districts provided information on historic land use and hydrology of each watershed, assessed changes in land use and hydrology due to brush infestation, and assembled final reports for each watershed for submittal to the 77th Legislature.

The feasibility of using brush control to enhance water yield was studied in the (1) Lake Arrowhead, (2) Lake Brownwood, (3) Lake Fort Phantom Hill, and (4) Lake Palo Pinto watersheds. The 77th Legislature provided $500,000 to initiate these brush control feasibility studies. These watersheds are identified in the State Brush Control Plan as reservoirs where brush control could enhance water supplies. The final reports were delivered to the Texas Legislature in December 2002.

Map of Current Brush Project Areas



Brush Project Updates

North Concho

The North Concho Watershed project was initiated September 1, 1999. It is approximately 953,000 acres in size with approximately 432,000 acres of brush. Cost share funding in the amount of $13,253,950 has been made available in the North Concho River watershed.

- 370,715 acres were under contract to be treated at a cost of $13,173,242
- 238,700 acres had been treated at a cost to the State of $9,837,267

Pedernales

The Pedernales Watershed project was initiated September 1, 2002. It is approximately 815,000 acres in size with approximately 200,000 acres of brush. It is divided into 35 sub-basins with 13 sub-basins currently eligible for cost-share. Cost share funding in the amount of $4,001,199 has been made available in the Pedernales River Watershed.

- 59,708 acres were under contract to be treated at a cost of $3,987,521
- 45, 750 acres had been treated at a cost to the State of $2,987,224
- Currently have 116 active contracts, 170 completed contracts, 286 total contracts

Twin Buttes

The Twin Buttes Watershed project was initiated September 1, 2003. It is approximately 2,423,854 acres in size with approximately 1,015,407 acres of brush. It is divided into 69 sub-basins with 28 sub-basins currently eligible for cost-share. Cost share funding in the amount of $8,295,950 has been made available in the Twin Buttes Watershed.

- 179,862 acres were under contract to be treated at a cost of $8,178,285
- 124,854 acres had been treated at a cost to the State of $5,961,440
- Currently have 134 active contracts, 51 completed contracts, 185 total contracts

Spring Creek / Dove Creek

The Spring and Dove Creek Watershed project was initiated September 1, 2002. It is approximately 163,000 acres in size with 77,468 acres of brush. It is divided into 23 sub-basins with 3 sub-basins eligible through the Spring and Dove Creek Special Project. Cost share funding in the amount of $1,146,275 has been made available in the Spring/Dove Watershed.

- 37,829 acres were under contract to be treated at a cost of $1,040,935
- 18,958 acres had been treated at a cost to the State of $649,329
- Currently have 16 active contracts, 5 completed contracts, 21 total contracts

Pecan Creek

The Pecan Creek Watershed project was initiated September 1, 2003. It is approximately 60,400 acres in size with approximately 43,000 acres of brush. It is divided into 13 sub-basins with all sub-basins eligible for cost-share. Cost share funding in the amount of $323,764 has been made available in the Pecan Creek Watershed.

- 12,195 acres were under contract to be treated at a cost of $323,589
- 10,095 acres had been treated at a cost to the State of $232,774
- Currently have 3 active contracts, 2 completed contracts, 5 total contracts

Oak Creek Lake

The Oak Creek Lake Watershed project was initiated September 1, 2003. It is approximately 151,532 acres in size with approximately 96,616 acres of brush. It is a sub-basin of the Upper Colorado Watershed. Cost share funding in the amount of $1,095,765 has been made available in the Oak Creek Lake Watershed.

- 17,661 acres were under contract to be treated at a cost of $803,068
- 12,624 acres had been treated at a cost to the State of $603,687
- Currently have 17 active contracts, 14 completed contracts, 31 total contracts

Lake Ballinger

The Lake Ballinger Watershed project was initiated September 1, 2002. It is approximately 148,849 acres in size with approximately 54,485 acres of brush. It is a sub-basin of the Upper Colorado Watershed. Cost share funding in the amount of $484,886 has been made available in the Lake Ballinger Watershed.

- 8,570 acres were under contract to be treated at a cost of $406,901
- 5,676 acres had been treated at a cost to the State of $263,332
- Currently have 45 active contracts, 20 completed contracts, 25 total contracts

Mountain Creek Lake

The Mountain Creek Lake Watershed project was initiated September 1, 2002. It is approximately 18,500 acres in size with approximately 7,500 acres of brush. It is a sub-divided sub-basin of the Upper Colorado Watershed. Cost share funding in the amount of $95,542 has been made available in the Mountain Creek Watershed.

- 2,034 acres were under contract to be treated at a cost of $88,728
- 1,440 acres had been treated at a cost to the State of $70,033
- Currently have 4 active contracts, 6 completed contracts, 10 total contracts

Champion Creek Lake

The Champion Creek Lake Watershed project was initiated September 1, 2002. It is approximately 115,737 acres in size with 40,347 acres of brush. It is a sub-basin of the Upper Colorado Watershed. Cost share funding in the amount of $906,932 has been made available in the Champion Creek Watershed.

- 17,481 acres were under contract to be treated at a cost of $865,202
- 10,786 acres had been treated at a cost to the State of $504,606
- Currently have 55 active contracts, 21 completed contracts, 76 total contracts

Pecos / Upper Colorado (Salt Cedar)

The Pecos/Upper Colorado Salt Cedar Project was initiated September 1, 2003. It is a match project to utilize federal EQIP dollars. Cost share funding in the amount of $410,710 has been made available in the Pecos/Upper Colorado Watersheds.

- 6,354 acres were under contract to be treated at a cost of $298,477
- 3,468 acres had been treated at a cost to the State of $180,678
- Currently have 22 active contracts, 40 completed contracts, 62 total contracts

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